IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1533 of 2005

Between:

1 Golla Venkatramudu, S/o. Chinna Narsimhappa,
R/o. Ponakaladinne village Nandavaram Mandal,

Kurnool District.
2 Golla Krishnaiah, S/o. Chinna Narsimhappa,
R/o. Ponakaladinne village,

Nandavaram Mandal, Kurnool District.
3 Smt. G. Narayanamma, W/o. G. Chinnaiah,
R/o. Ponakaladinne village,

Nandavaram Mandal, Kurnool District.
4 Barika Chinna Peddaiah, S/o. Peddaiah,
R/o. Ponakaladinne village,

Nandavaram Mandal, Kurnool District.
5 B. Pakeerappa, S/o. B. Peddaiah,
R/o. Ponakaladinne village,

Nandavaram Mandal, Kurnool District.
6 G. Peddaiah, S/o. Chinna Narsimhappa,
R/o. Ponakaladinne village,

Nandavaram Mandal, Kurnool District.

..... PETITIONERS

AND

1 The District Collector, Kurnool District.
2 The Revenue Divisional Officer,

Adoni, Kurnool District.
3 The Mandal Revenue Officer,

Nandavaram Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction particularly one in the nature or writ of Mandamus declaring the action of the respondents is not granting house site pattas to the petitioners in respect of their plots. 94, 95, 96, 97, 98, & 99 of Pankaladinne *(V), Nandavaram (M), Kurnool District is highly illegal arbitrary and violative of Art. 14, 19 (1) (g) & 21 of the Constitution of India and consequently direct the respondents to grant House site pattas in respect of their plots forthwith, and pass such other order or orders. as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioners claim to be in occupation of the land in S.No.166/A of Ponakaladinne village, Nandavaram Mandal, Kurnool District, whereupon they have erected some huts and residing therein. It is stated that the petitioners have been requesting the respondents to grant house site pattas in their favour in respect of the said small extents in their occupation. On the basis of their representation, the

Collector and District Magistrate, Kurnool vide the letter in L.Dis.(E1) 3956/2004 dated 30.12.2004, directed the third respondnet-Mandal Revenue Officer, Nandavaram Mandal to submit the necessary report.

The grievance of the petitioners is that while their request for grant of house site pattas is under consideration, the third respondent is taking steps to evict them forcibly. Hence this writ petition.

Having heard learned counsel for the petitioners and the learned Government Pleader appearing for the respondents and having regard to the fact that the District Collector has already called for a report on the basis of the applications of the petitioners, without expressing any opinion with regard to the entitlement of the petitioners for grant of house site pattas as claimed by them, the writ petition is disposed of with a direction to the respondents to consider the request of the petitioners and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. Till such time, there shall be direction to the respondents not to dispossess the petitioners from the land in their occupation without following due process of law. No costs.

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03.02.2005

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To

1 The District Collector, Kurnool District.
2 The Revenue Divisional Officer,

Adoni, Kurnool District.
3 The Mandal Revenue Officer,

Nandavaram Mandal, Kurnool District.

4 Two CCs to G.P. for Revenue, High Court of A.P.,

Hyderabad (OUT).

5 Two CD copies.